

**MINUTES
CHICOPEE MOBILEHOME RENT CONTROL BOARD
DECEMBER 16, 2013 @ 6:00 P.M.
HEARING**

MEMBERS PRESENT

Robert Hopkins, Sharyn Riley, Ronald Lafond

ALSO PRESENT

Christine Lessing-Provost, Attorney to the Board
Chantal Paul, Secretary to the Board

OLD BUSINESS

Gill Mobilehome Park

Robert Hopkins: Motion to approve minutes of 9/9/13.

Sharyn Riley: Makes motion to approve.

Ronald Lafond: Second motion. *Motion passes unanimously.*

Robert Hopkins: Bob reads rules.

Tenant's rebuttal.

Marcia Stemm: Answers rebuttal.

The total increase requested is **\$10.85** based on the following expenses:

<u>Trash Removal</u>		
An increase per tenant per month of		\$3.36
<u>Real Estate Taxes</u>		
An increase per tenant per month of		\$1.88
<u>Water & Sewer</u>		
An increase per tenant per month of		\$5.61

Robert Hopkins: We heard from tenants, and park, Ron, any questions before we deliberate on this increase of \$10.85. Sharyn, anything further?

Sharyn Riley: No, I asked my questions.

Robert Hopkins: Page 2 of Gill, the proposal of \$10.85. The trash removal reflects an increase of \$3.86 per tenant per month.

Discussion on dumpsters.

Robert Hopkins: The increase of \$3.36 is the discussion item at the moment. Ron...

Ronald Lafond: This is based on the 51 units that you have, what about the other units in the front? The apartments...is it included with this increase?

Marcia Stemm: No.

Sharyn Riley: No comments.

Robert Hopkins: Do you want to consider adjusting this. It's reasonable; somebody else is using the dumpster. What figure?

Christine Lessing Provost: You have to decide of what you are using for a number of units. Earlier there was testimony that there were 47 oil tanks and 5 with propane which adds up to 52, but there were only 51 tenants. You as a Board have to decide what you believe the real number of tenants to be and take the increase that your questioning, the \$3.36 over 51 over 12 months.

Robert Hopkins: The efficiencies are not included in the income or the overhead, correct.

Marcia Stemm: Correct.

Sharyn Riley: Let me ask a legal question. As we move from item to item on the tanks v. the trash v. the water and sewer, it seems like it fluctuates depending on what it is, can we change the number of tenants depending on what we are calculating?

Robert Hopkins: On the trash removal, we are looking at .14, shall we come up with a figure and we make a motion to adopt that line item for trash removal.

Sharyn Riley: I will make the motion.

Robert Hopkins: The motion is to allow \$3.23 for the trash removal.

Sharyn Riley: I'll make that motion.

Ronald Lafond: Second.

Robert Hopkins: Any further discussion? *Motion passes unanimously.*

Robert Hopkins: Real estate taxes, again, an increase of \$1.88 based upon the evidence.

Sharyn Riley: I make the motion.

Ronald Lafond: Second.

Robert Hopkins: All in favor.

Board: Yes. *Motion passes unanimously.*

Robert Hopkins: Water and sewer set by the City of Chicopee, increase per tenant per month of \$5.61 based upon evidence. We have received nothing to the contrary to dispute that.

Ronald Lafond: I make the motion.

Sharyn Riley: Second.

Robert Hopkins: Before we make that final, the water and sewer for your two efficiencies, is that metered?

Marcia Stemm: No.

Robert Hopkins: It's not metered. Withdraw the motion.

Ronald Lafond: Withdraw the motion. *Motion withdrawn unanimously.*

Robert Hopkins: Let's withdraw the motion because further discussion because if there's water and sewer that the tenants are paying for that's not included in the breakdown in the amount of units, I think it has to be adjusted slightly to be fair. It's not metered.

Sharyn Riley: 53 instead of 51 units?

Robert Hopkins: Yes. Reduction to allow for those two units.

Ronald Lafond: I make a motion to accept the \$5.40.

Sharyn Riley: I second the motion. *Motion passes unanimously.*

Robert Hopkins: So that brings us to the reduction of what was requested of \$10.85. The discussion now will revolve on whether or not the insurance for the park. I have not heard anything about a mandatory requirement that the tenant have to have oil tank insurance.

We are going to take a motion, yes or no, on any adjustment for the oil tank.

Sharyn Riley: I make a motion that we do not include it in the rent increase.

Ronald Lafond: Second.

Robert Hopkins: Further discussion? *Motion passes unanimously.*

The rent increase that is allowed has been adjusted from \$10.85 to \$10.51 per tenant per month. The increase of \$10.51, no insurance mandates from us, will be effective February 1, 2014.

Harmony Homes Village

Marcia Stemm: Requesting increase of \$15.34. Reading her proposal...

Trash Removal

An increase per tenant per month of **\$2.73**

Real Estate Taxes

An increase per tenant per month of **\$1.72**

Water & Sewer

An increase per tenant per month of **\$7.56**

Storm Clean Up/Tree Removal

An increase per tenant per month of **\$3.33**

Harmony Homes Village has not had an increase for sewer and water since May 2008. Looking to increase the Storm Clean Up for only 3 years to get back some of the money that we spent on those 4 major storms. Not going to get an insurance policy for the oil tanks if I am not going to get reimbursed.

Robert Hopkins: No evidence presented from Harmony Homes received by the Board.

Tenants wish to speak about the proposal?

Robert Hopkins: Appears that tenants have completed their rebuttal. A request of \$15.34, not including the oil tank issue, trash removal - \$2.73 was proposed. discussion?

Motion to approve trash removal \$2.73.

Ronald Lafond: I make a motion.

Sharyn Riley: I second. *Motion passes unanimously.*

Robert Hopkins: Real estate taxes an increase of \$1.72 per tenant per month.

Ronald Lafond: Motion to accept.

Sharyn Riley: Second. *Motion passes unanimously.*

Robert Hopkins: Storm Clean Up/Tree Removal...I think we should have some discussion on this.

Marcia Stemm: The microburst took a lot of trees down. In was devastating.

Robert Hopkins: Have you reimbursed any tenants for taking their trees down?

Marcia Stemm: Yes.

Sharyn Riley: I have mixed feelings, it could have been blocking roadways. It's a tough call without knowing who did and who didn't get reimbursed.

Robert Hopkins: It would be prudent to pay for some of the storm clean up, I don't know if 3 years is an appropriate amount of time. How do we adjust appropriately. Discussion on this item?

Sharyn Riley: They don't own the property, she owns the property.

Robert Hopkins: What would be reasonable, instead of 3 years, tie it to the next rent increase?

Robert Hopkins: Restate the motion...that we accept the \$3.33 storm clean up tree removal to be immobilized for a maximum of 3 years.

Ronald Lafond: I make the motion.

Sharyn Riley: Second. *Motion passes unanimously.*

Robert Hopkins: Water and Sewer - \$7.56 per tenant.

Ronald Lafond: I make the motion.

Sharyn Riley: Second. *Motion passes unanimously.*

Sharyn Riley: I make a motion to exclude the oil tank insurance from the rent increase.

Ronald Lafond: Second. *Motion passes unanimously.*

The rent increase that is allowed has been adjusted to \$15.34 per tenant per month. The increase of \$15.34, with no insurance mandates from us, will be effective February 1, 2014.

Knollwood Mobilehome Park

Marcia Stemm: Looking for an increase of \$24.33. Reading her proposal...

Trash Removal

An increase per tenant per month of **\$3.88**

Real Estate Taxes

An increase per tenant per month of **\$1.69**

Water & Sewer

An increase per tenant per month of **\$1.89**

Storm Clean Up/Tree Removal

An increase per tenant per month of **\$5.24**

Ground and tree maintenance

An increase per tenant per month of **\$11.63**

Robert Hopkins: Any evidence from Knollwood?

Susan Donze Lot #19

Albert Ruel 99 Edbert St.

Susan Donze: We understand that Marcia is entitled to a rent increase, based on 36 lots, we have 37 lots, one is empty, why are the tenants eating the cost for the extra lot on the trash removal, people come into the park and dump in our dumpsters. The cost comes from us and it shouldn't. on water and sewer we have catch basins that are filled to the top with sand, doing us no good for drainage, yet we are being charged for this. Street sweeping, they clean Harmony Homes and Gill and dump in our park. She went up on the snow, her people are plowing us in, they continue to do that. We pay the increase for the snow removal and they plow us in so we are paying twice. All the trees fell into our park during the microburst, we shouldn't be paying for that.

Albert Ruel: Concerning the trees, when she purchased this park, there were no trees, everyone told her it was a bad place to put the trees underneath the lines and she did it anyway and now we're paying for it. These trees are getting large, and the roots will go into our water lines.

Robert Hopkins: Tenants have completed their rebuttal.

Trash Removal - \$3.88. Discussion, motion?

Sharyn Riley: I make the motion.

Ronald Lafond: Second. **Motion passes unanimously.**

Robert Hopkins: Real estate taxes - \$1.69. Motion to accept \$1.69.

Sharyn Riley: I make a motion to accept.

Ronald Lafond: Second. *Motion passes unanimously.*

Robert Hopkins: Water and sewer - \$1.89 motion to accept.

Ronald Lafond: I make a motion to accept.

Sharyn Riley: Second.

Robert Hopkins: Storm Clean Up/Tree Removal. The board does not dictate how a park spends its money. Historically, we do not allow fees to be charged in advance. It's not our authority. Moving on to Storm Clean Up/Tree Removal looking for an increase of \$5.24 per tenant per month. Discussion on this for a period of 3 years.

Sharyn Riley: Motion to go the same course that we did on the last one, over the 3 years.

Ronald Lafond: Second. *Motion passes unanimously.*

Robert Hopkins: Final item, Ground and Tree Maintenance - \$11.63 per tenant per month. The only common area is in the middle.

Sharyn Riley: I have a problem with this one.

Robert Hopkins: Ok, let's have a discussion whether this is an appropriate additional fee.

Sharyn Riley: Question is do we give something or do we give nothing?

Robert Hopkins: Let's be fair, not just say no.

Sharyn Riley: I make a motion to exclude it.

Ronald Lafond: Second. *Motion passes unanimously.*

The rent increase that is allowed has been adjusted from 24.33 to \$12.70 per tenant per month. The increase of \$12.70 will be effective February 1, 2014.